

Appl. No. 10/768,508

Amdt. dated Feb. 18, 2005

Reply to Office action dated November 18, 2005

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1 (Currently Amended): ~~A Seed~~ of soybean variety XB32Y04, representative seed of said soybean variety XB32Y04 having been deposited under ATCC Accession No. \_\_\_\_\_.

Claim 2 (Original): A soybean plant, or a part thereof, produced by growing the seed of claim 1.

Claim 3 (Original): The soybean plant part of claim 2, wherein said part is pollen.

Claim 4 (Original): The soybean plant part of claim 2, wherein said part is an ovule.

Claim 5 (Currently Amended): A tissue culture of protoplasts or regenerable cells produced from the plant of claim 2.

Claim 6 (Currently Amended): A The tissue culture according to claim 5, wherein the cells or protoplasts ~~of the tissue culture are obtained~~ produced from a plant tissue selected from the group consisting of ~~[[:]]~~ leaf, pollen, cotyledon, hypocotyl, embryos, root, pod, flower, shoot and stem.

Claim 7 (Currently Amended): A soybean plant regenerated from the tissue culture of claim 5 ~~and~~ having all the morphological and physiological characteristics of soybean variety XB32Y04, representative seed of said soybean variety XB32Y04 having been deposited under ATCC Accession No. \_\_\_\_\_.

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Claim 8 (Currently Amended): A method for producing a progeny soybean plant comprising [[:]]crossing the plant of claim 2 with a different soybean plant, harvesting the resultant soybean seed, and growing a soybean plant.